IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WA.No. 1021 of 2007()

AGAINST THE JUDGEMENT/ORDER IN WPC.9961/2007 Dated 02/04/2007
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APPELLANT:

N.BHASURANGAN, PRESIDENT,
THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK, THIRUVANANTHAPURAM.

BY ADV. SRI.P.V.BABY
SRI.A.N.SANTHOSH

RESPONDENTS/PETITIONER & RESPONDENT:
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1. M.P.SHAJU, REVETHI, KANNAMOOLA, THRUVANANTHAPURAM.

2. REGISTRAR OF CO-OPERATIVE SOCIETIES, KERALA.

3. THE THIRUVANANTHAPURAM DISTRICT CO-OPERATIVE BANK LTD., THIRUVANANTHAPURAM REPRESENTED BY ITS GENERAL MANAGER.

4. G.SUDHAKARAN, MINISTER FOR CO-OPERATION SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER(CO-OPERATIVE SOCIETIES)
SMT. A.G. ANEETHA.
R1 BY ADV. SRI. B.S. SWATHI KUMAR.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN, AG.C.J. & M.N. KRISHNAN,J.

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W.A. NO. 1021 OF 2007

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Dated this the 12th day of April, 2007.

J U D G M E N T

Radhakrishnan, Ag.C.J.

Heard counsel on either side. The appellant/3rd party is the President of Thiruvananthapuram District Co-operative Bank. The writ petition was preferred by the first respondent herein challenging Ext.P1 notice issued under Section 32 of the Kerala Co-operative Societies Act. Complaint of the appellant is that the learned Single Judge has granted a relief which was not sought for by the parties and therefore that order cannot have any force. We endorse the view of the learned counsel for the appellant. In the circumstances, the interim order granted on 2nd April, 2007 which is impugned in this appeal is set aside.

2. Advocate Sri.B.S. Swathi Kumar appears on behalf of first respondent. Government Pleader takes notice for

respondent 2 and 3. There is no necessity to issue notice to the 4th respondent.

Post the writ petition for an early hearing.

The writ appeal is accordingly disposed of.

K.S. RADHAKRISHNAN,
ACTING CHIEF JUSTICE.

M.N. KRISHNAN, JUDGE.

ul/-